



**US Army Corps  
of Engineers**  
Portland District

# **PUBLIC NOTICE**

## **for After-the-fact Authorization and Permit Application**

Issue Date: May 15, 2003

Expiration Date: June 16, 2003

Corps of Engineers Action ID: 200100596

Oregon Division of State Lands Number: 24410-FP

### **30-Day Notice**

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
Portland District, Eugene Field Office  
ATTN: CENWP-OP-GP (Ms. Merina Christoffersen)  
1600 Executive Parkway, Suite 210  
Eugene, Oregon 97401-2156

**Applicant:** Mr. Mark Buechley  
(Safari Estates Development)  
P.O. Box 13  
Roseburg, Oregon 97470

**Location:** The address of the site is 13224 Looking Glass Road, Winston, Douglas County, Oregon. The site is in Sections 17 and 20, Township 28 South, Range 6 West.

**Project Description:** The applicant has requested authorization to fill a total of 2.65 acres of wetland to construct a residential development. The development, known as Safari Estates, would contain a 120-unit apartment complex, 121-unit manufactured home park, and an 83 lot residential subdivision. The property is approximately 83.8 acres in size with eight wetlands covering 14.32 acres. Wetland impacts are related to the development of the infrastructure such as roads and utilities, as well as the lot development. A large portion of the site has been under agricultural use since the 1930s and is dominated by herbaceous vegetation. The riparian corridor along Applegate Creek and the other drainages are lined with trees, predominately Oregon ash. The impacts by wetland are shown in Attachment 2.

The previous property owner filled approximately 3.4 acres of wetland without authorization. The wetland labeled "C" covering 0.8 acres was filled, as was 3.32 acres of wetland "D". The applicant is proposing to retain the fill in wetland "C" and retain 1.47 acres of fill in wetland D. The remainder of the fill in wetland D will be removed.

**Proposed Mitigation:** The applicant has provided an onsite compensatory wetland mitigation plan to replace lost wetland functions if the proposed project is authorized. On-site mitigation would involve the creation of 1.47 acres of wetland from upland areas, enhancement of 2.1 acres of farmed wetland and 3.49 acres of non-farmed wetland, and restoration of 0.58 acres of prior converted wetland. The total mitigation area is 7.63 acres.

**Purpose:** Provide apartment units and residential subdivisions in the city of Winston.

**Drawings:** Fifteen (15) Drawings are attached.

**Additional Information:** Additional information may be obtained from Ms. Merina Christoffersen, Project Manager, U.S. Army Corps of Engineers at (541) 465-6882, or email at [merina.e.christoffersen@nwp01.usace.army.mil](mailto:merina.e.christoffersen@nwp01.usace.army.mil).

**Authority:** This permit will be issued or denied under the following: Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**Public Hearing:** Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the described activity will not affect endangered species or their critical habitat designated as designated under the Endangered Species Act of 1973 (87 Stat. 844).

**Cultural Resources:** There are no known historic properties within the permit area. The permit area has been previously disturbed, and it is not likely the proposed project will affect an undisturbed historic property or other type of cultural resource.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and determine the overall public interest of the proposed activity.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work may be accomplished within the applicable Statutory Authority previously indicated. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

**PUBLIC NOTICE**  
**Oregon Department of Environmental Quality**  
**Water Quality 401 Certification**

**Corps of Engineers Action ID Number:** 200100596  
**Oregon Division of State Lands Number:** 24410-RF

**Notice Issued:** May 15, 2003  
**Written Comments Due:** June 16, 2003

**WHO IS THE APPLICANT:** Mr. Mark Buechley  
(Safari Estates Development)  
P.O. Box 13  
Roseburg, Oregon 97470

**LOCATION OF CERTIFICATION ACTIVITY:** See attached U.S. Army Corps of Engineers public notice.

**WHAT IS PROPOSED:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**NEED FOR CERTIFICATION:** Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

**DESCRIPTION OF DISCHARGES:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**WHERE TO FIND DOCUMENTS:** Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator at (503) 229-5845, or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

**PUBLIC PARTICIPATION:**

**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

**Written comments:**

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on June 16, 2003. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390 or faxed to (503) 229-6124. *People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.* People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format at [deq.infor@deqstate.or.us](mailto:deq.infor@deqstate.or.us). Otherwise due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

**WHAT HAPPENS NEXT:** DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise if you wish to receive notification, please call or write DEQ at the above address.

**ACCESSIBILITY INFORMATION:** This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

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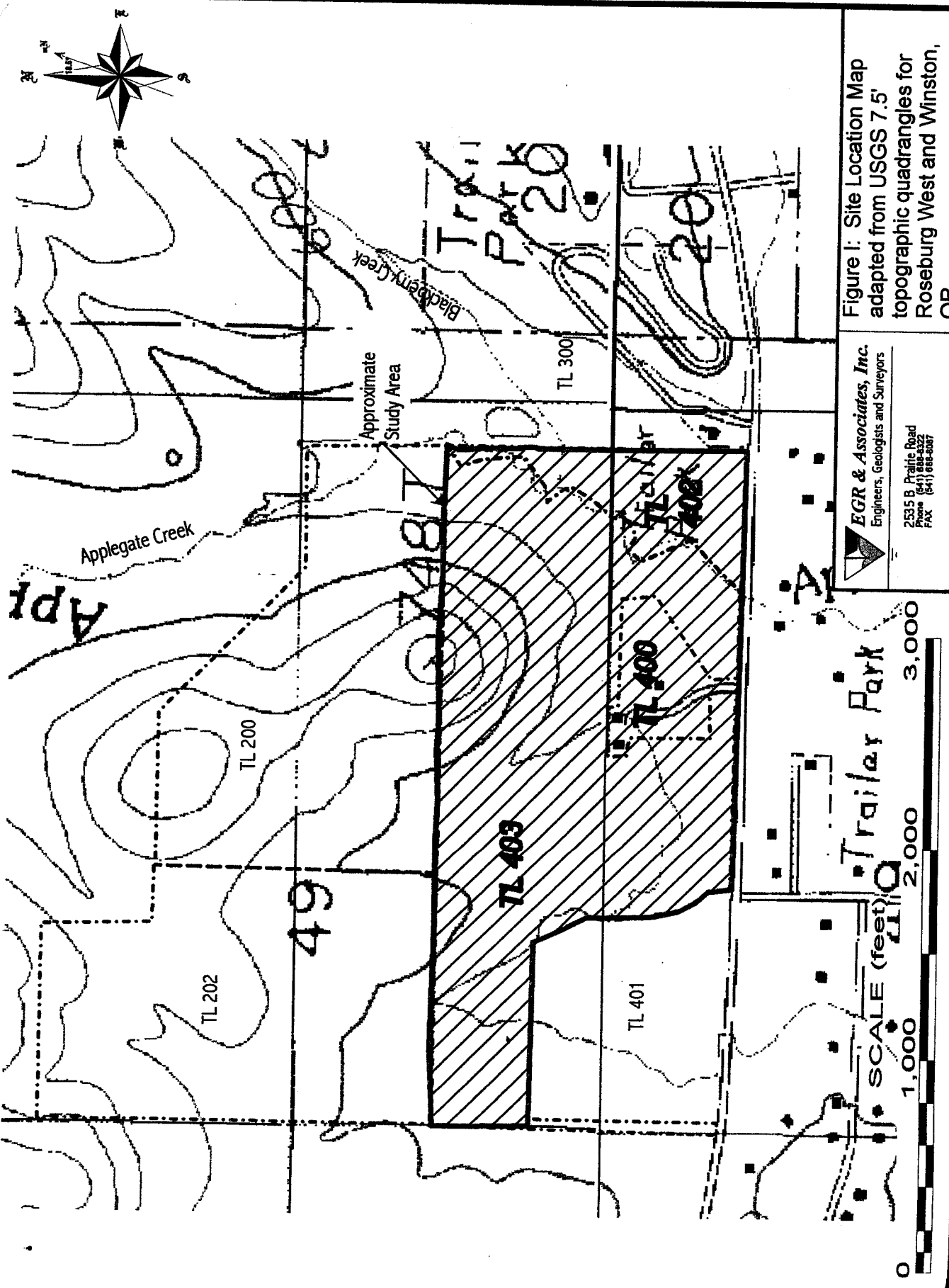
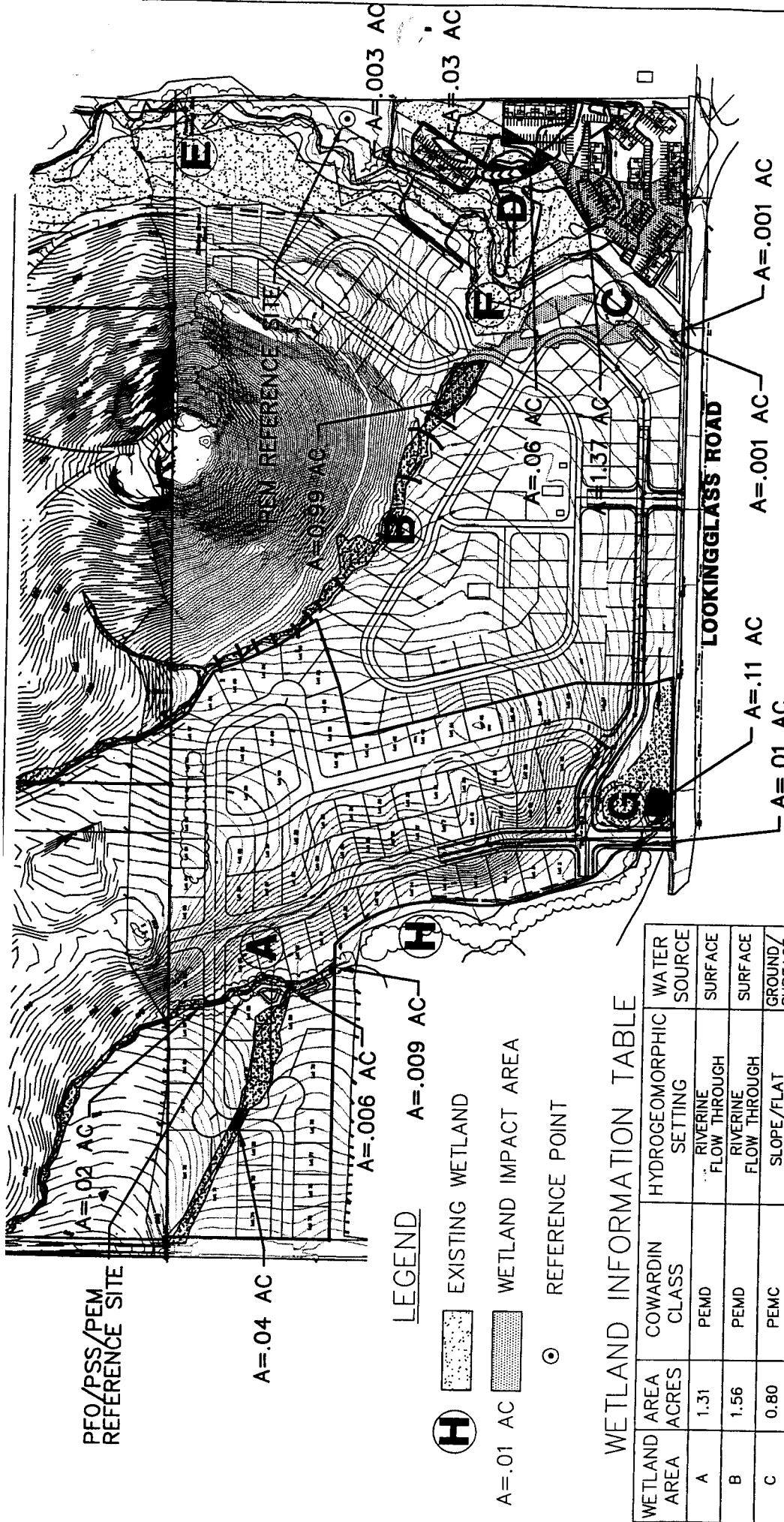


Figure 1: Site Location Map adapted from USGS 7.5' topographic quadrangles for Roseburg West and Winston, OR

**EGR & Associates, Inc.**  
 Engineers, Geologists and Surveyors  
 2535 B. Prairie Road  
 Phone (541) 868-8322  
 FAX (541) 868-8087

Trailer Park  
 SCALE (feet)  
 0 1,000 2,000 3,000



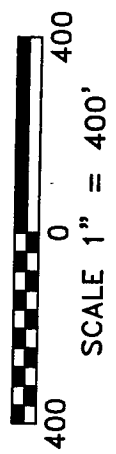
**LEGEND**

- (H)** EXISTING WETLAND
- A=.01 AC** WETLAND IMPACT AREA
- ⊙** REFERENCE POINT

**WETLAND INFORMATION TABLE**

WETLAND AREA ACRES	COWARDIN CLASS	HYDROGEOMORPHIC SETTING	WATER SOURCE
A 1.31	PEMD	RIVERINE FLOW THROUGH	SURFACE
B 1.56	PEMD	RIVERINE FLOW THROUGH	SURFACE
C 0.80	PEMC	SLOPE/FLAT	GROUND/SURFACE
D 4.22	PEME/PFOC/R4SBC	SLOPE/FLAT	GROUND/SURFACE
E 4.23	PEME/PFOC/R4SBC	SLOPE	GROUND/SURFACE
F 1.23	PFOC	SLOPE	GROUND/SURFACE
G 0.94	PEMC	SLOPE/FLAT	GROUND/SURFACE
H 0.03	PEMC	SLOPE	GROUND

TOTAL IMPACT AREA= 2.65 ACRES



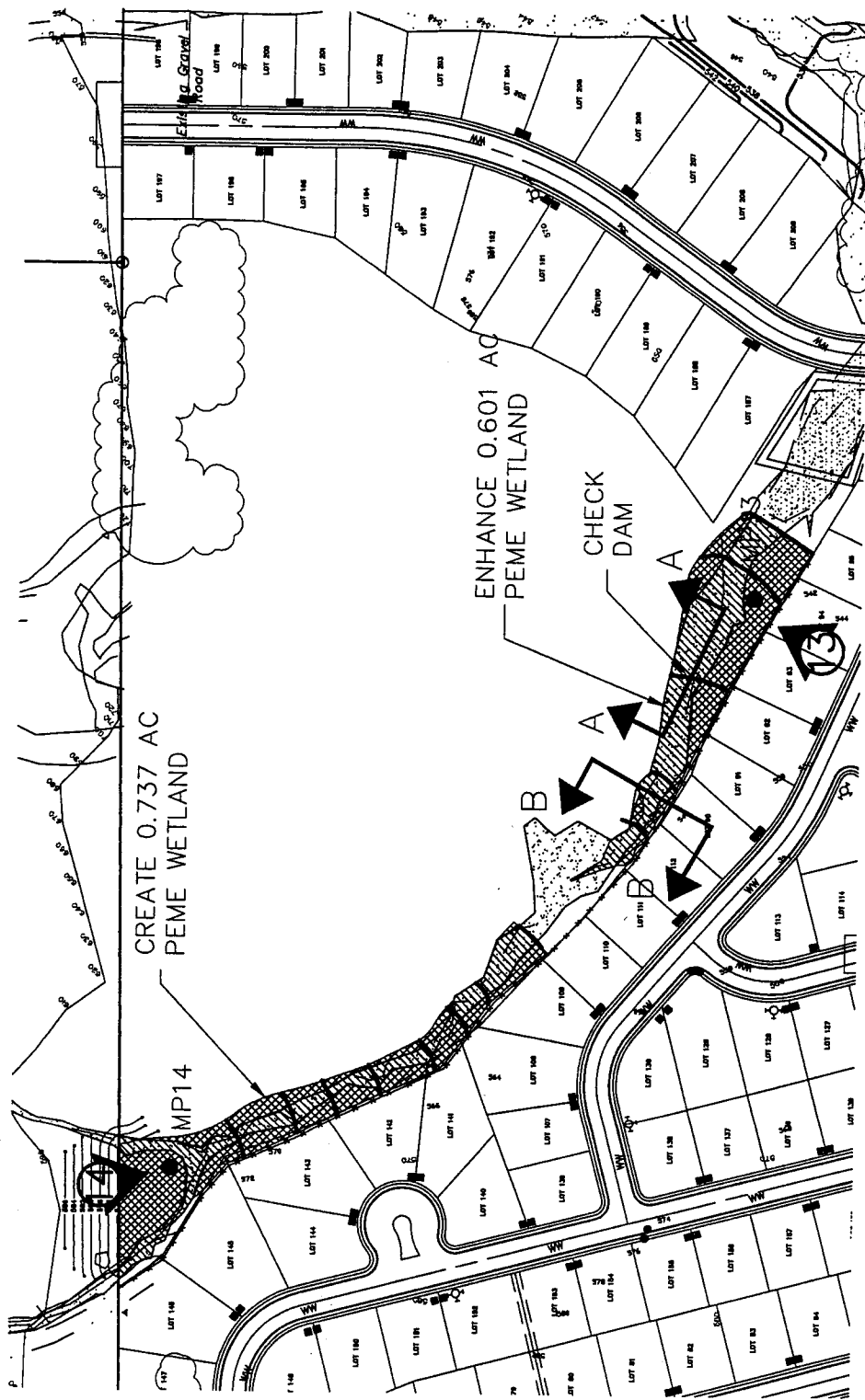
# FIGURE III WETLAND IMPACT MAP

DATE: XX-XX-XX

**ECR & Associates, Inc.**  
Engineers and Geologists

25350 Pacific Road  
Eugene, Oregon 97402  
(541) 485-4322  
Fax (541) 485-4087





**LEGEND**

- EXISTING WETLAND
- WETLAND IMPACT AREA
- WETLAND CREATION
- WETLAND ENHANCEMENT

**FIGURE 2**

**WETLAND B MITIGATION**

PHOTOGRAPHIC LOCATION 7

MONITORING POINT MP13

CHECK DAM

FENCE

SCALE 1" = 200'

0 200

N

DATE: 12-11-02

EGR & Associates, Inc.

Engineers and Geologists

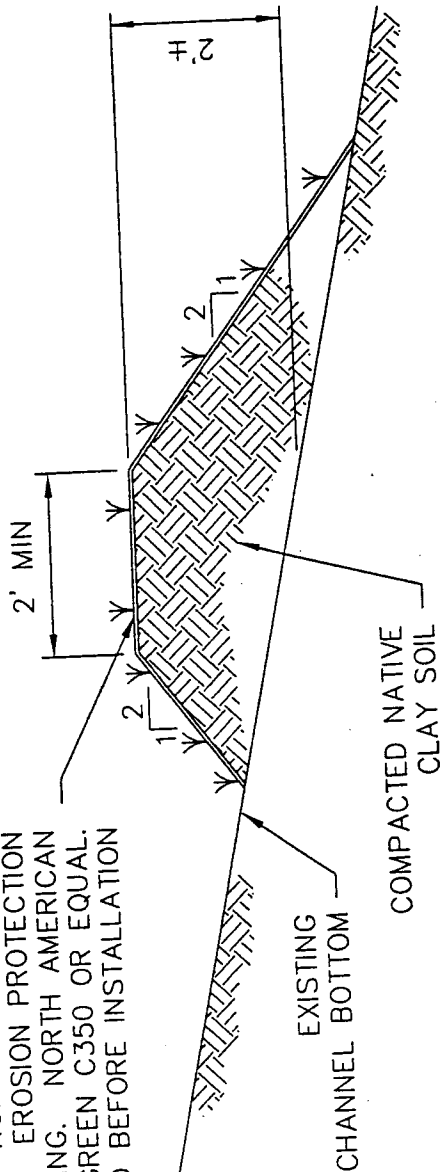
2550 Prairie Road

Logansport, Oregon 97403

Per 541

S:\Projects\5153\010021\010021-wet-impact.dwg Jan 22, 2002 - 10:21am LAYOUT=FIGURE 2

NON-BIODEGRADABLE  
EROSION PROTECTION  
LINING. NORTH AMERICAN  
GREEN C350 OR EQUAL.  
SEED BEFORE INSTALLATION

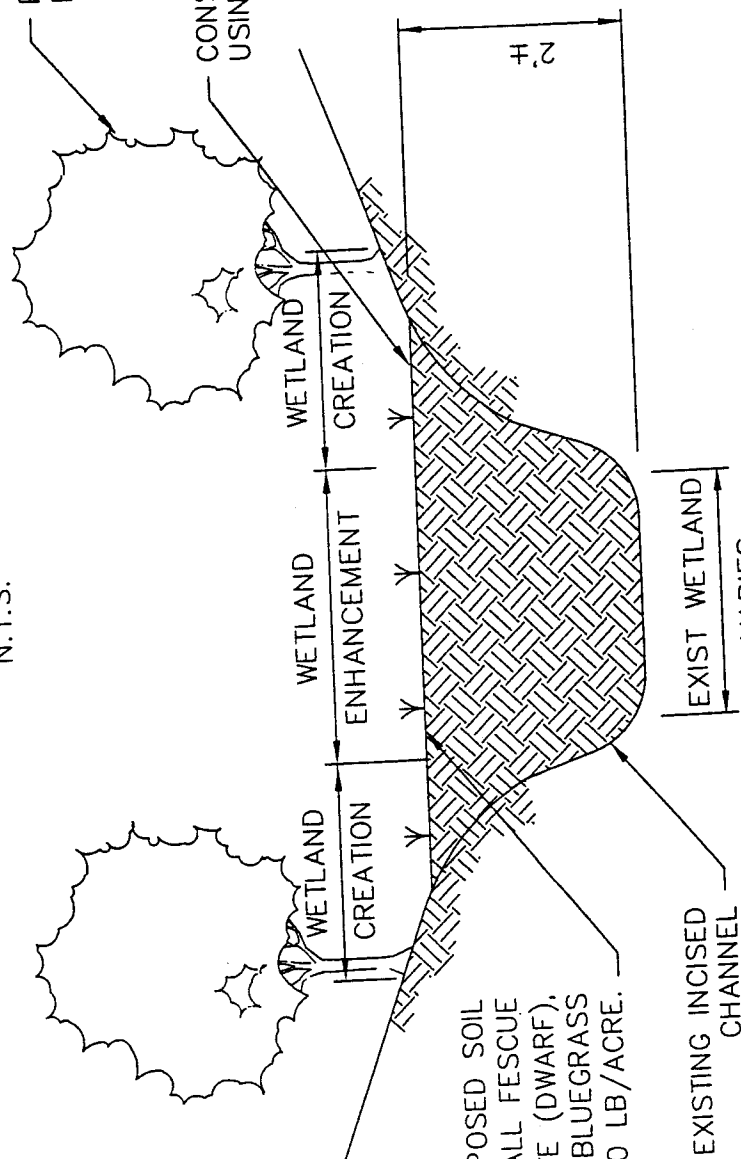


TYPICAL SECTION A-A

N.T.S.

PLANT TREES PER  
PLANTING SCHEDULE

CONSTRUCT CHECK DAM  
USING NATIVE CLAY SOIL



SEED ALL EXPOSED SOIL  
W/50% TURF TALL FESCUE  
30% PERENNIAL RYE (DWARF),  
AND 20% ANNUAL BLUEGRASS  
(DWARF) AT 400 LB/ACRE.

EXISTING INCISED  
CHANNEL

EXIST WETLAND  
VARIES

TYPICAL SECTION B-B

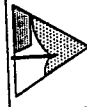
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2001 - 3:14pm LAYOUT=FIGURE 3

FIGURE 3

DATE:

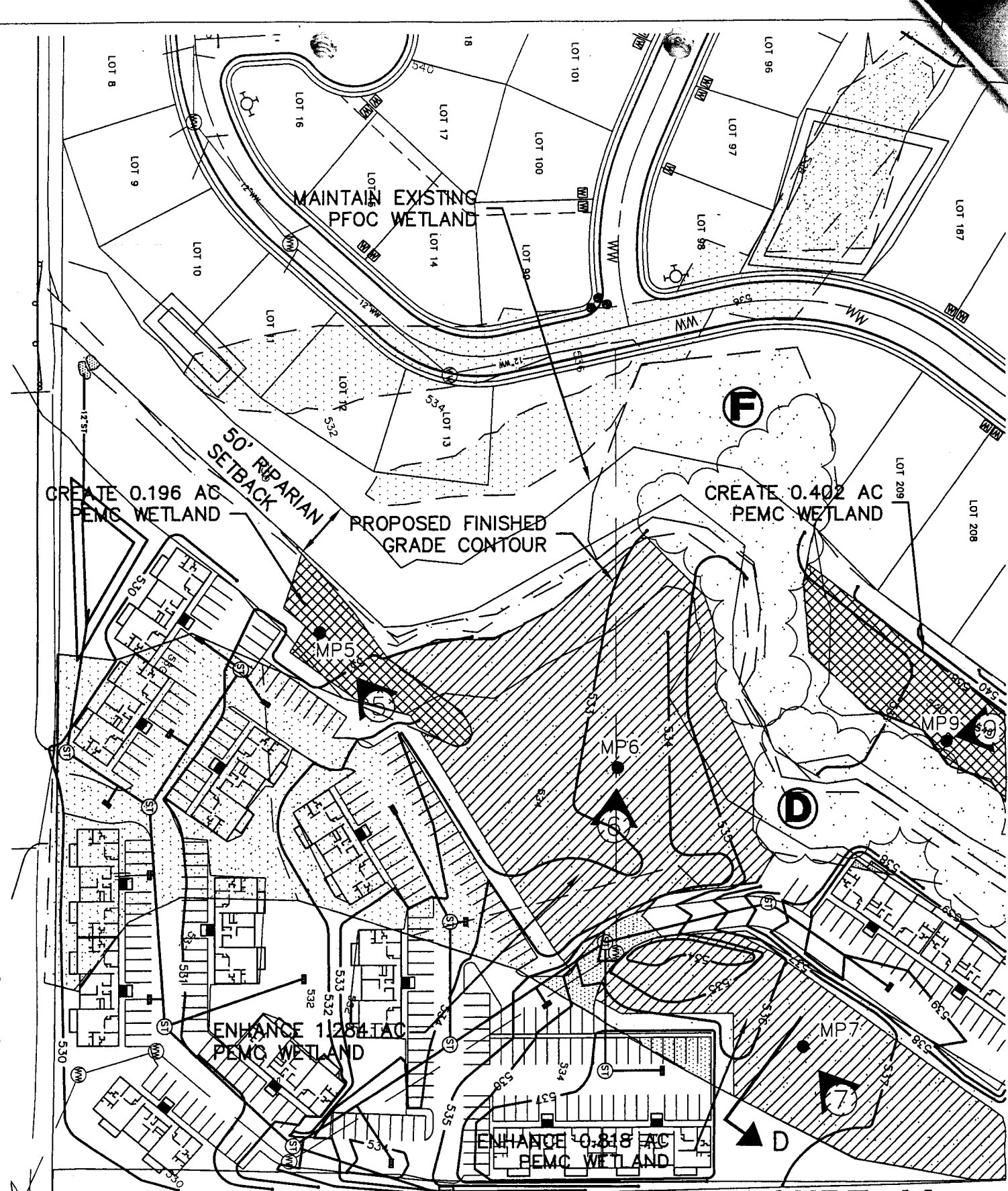
EGR & Associates,  
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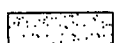
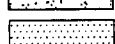

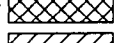


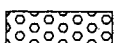
28300 Pacific Road  
Eugene, Oregon 97403

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**LEGEND**

-  EXISTING WETLAND
-  WETLAND IMPACT AREA
-  WETLAND CREATION
-  WETLAND ENHANCEMENT
-  PHOTOGRAPHIC LOCATION
-  MONITORING POINT
-  WETLAND RESTORATION

**FIGURE 4A**  
**WETLAND D, E, F**  
**MITIGATION**

DATE: XX-XX-98

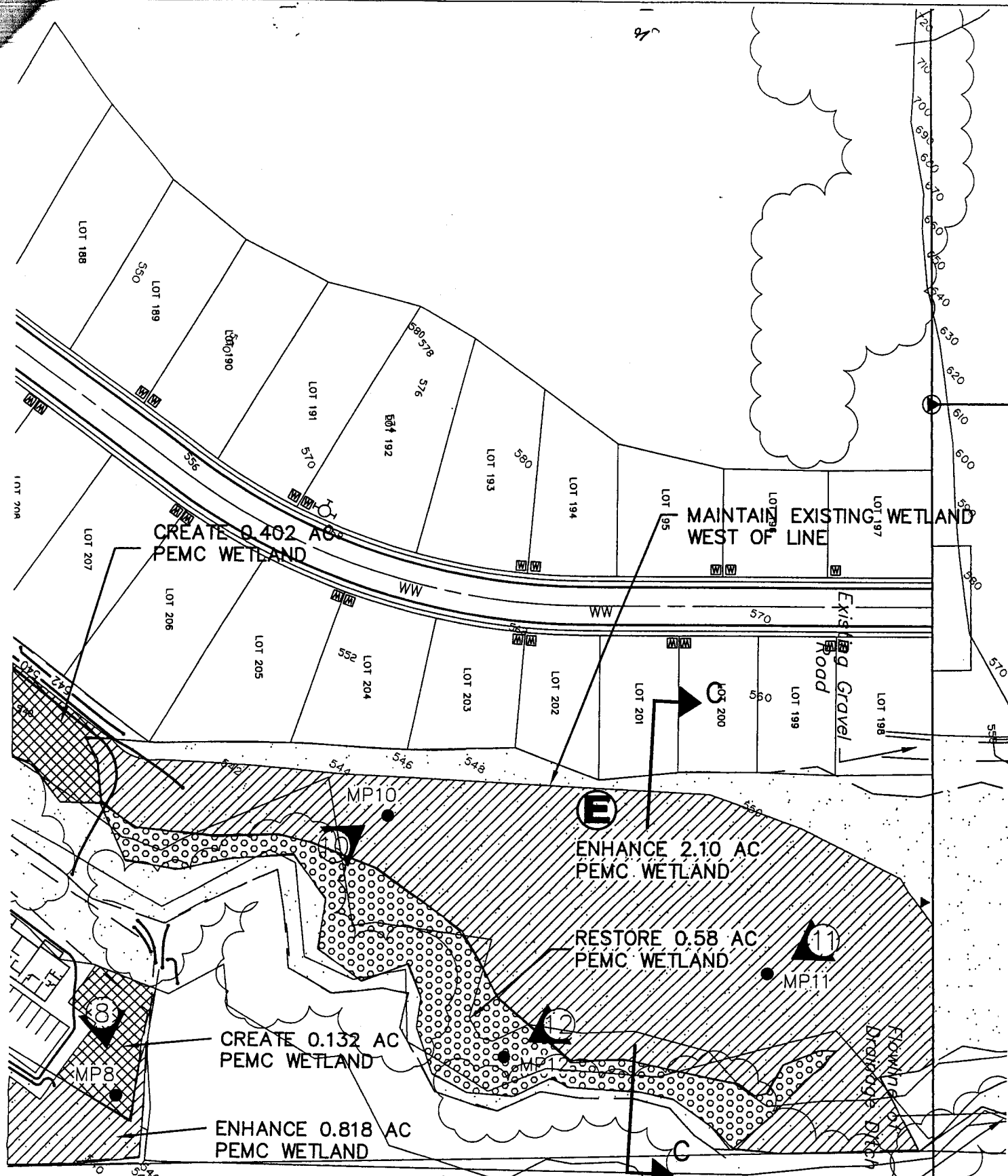


**EGR & Associates, Inc.**  
Engineers and Geologists

23358 Prairie Road  
Eugene, Oregon 97402

(541) 868-5322  
Fax (541) 868-8087

S:\Projects\5153\010021\010021-wet-impact.dwg Jan 22, 2002 - 10:22am LAYOUT=FIGURE 4B

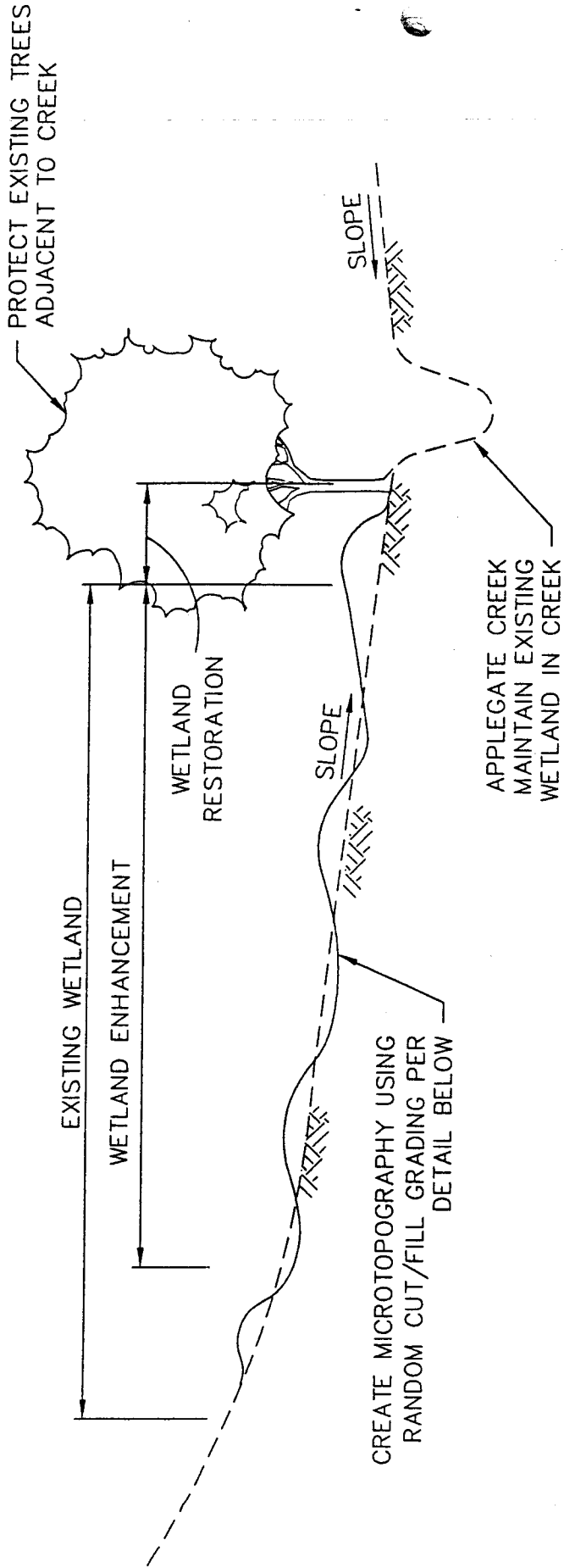


**LEGEND**

- |  |                     |  |                       |
|--|---------------------|--|-----------------------|
|  | EXISTING WETLAND    |  | 100                   |
|  | WETLAND IMPACT AREA |  | SCALE 1" = 100'       |
|  | WETLAND CREATION    |  | PHOTOGRAPHIC LOCATION |
|  | WETLAND ENHANCEMENT |  | MONITORING POINT      |
|  | WETLAND RESTORATION |  |                       |

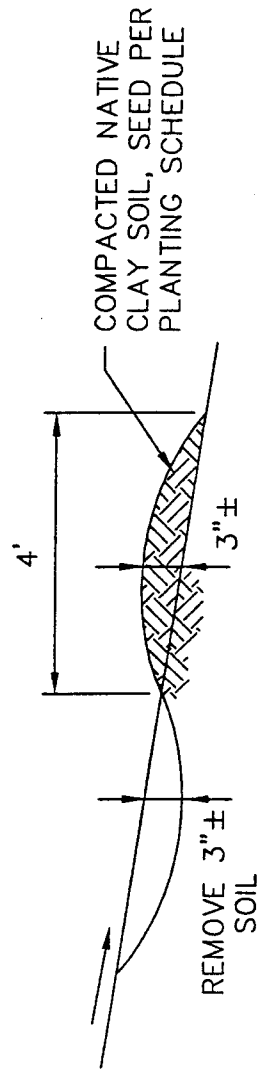
**FIGURE 4B**  
**WETLAND D, E, F**  
**MITIGATION** DATE: XX-XX-98

**EGR & Associates, Inc.**  
Engineers and Geologists  
2535B Prairie Road  
Eugene, Oregon 97402  
(541) 888-8321  
Fax (541) 888-8087



# TYPICAL SECTION C-C

N.T.S.



# TYPICAL MICROTOPOGRAPHY DETAIL

N.T.S.

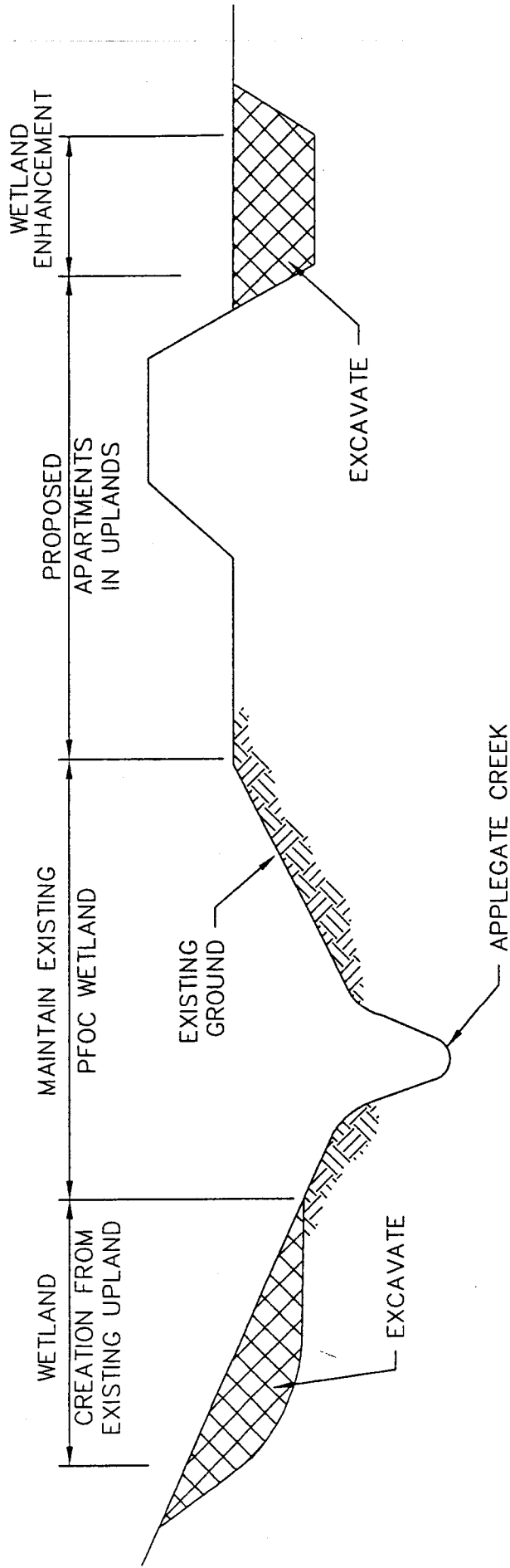
FIGURE 5

DATE 11-21-98

EGR & Associates, Inc.  
Engineers and Geologists



25250 Pacific Blvd.  
Eugene, Oregon 97403



# TYPICAL SECTION D-D

N.T.S.

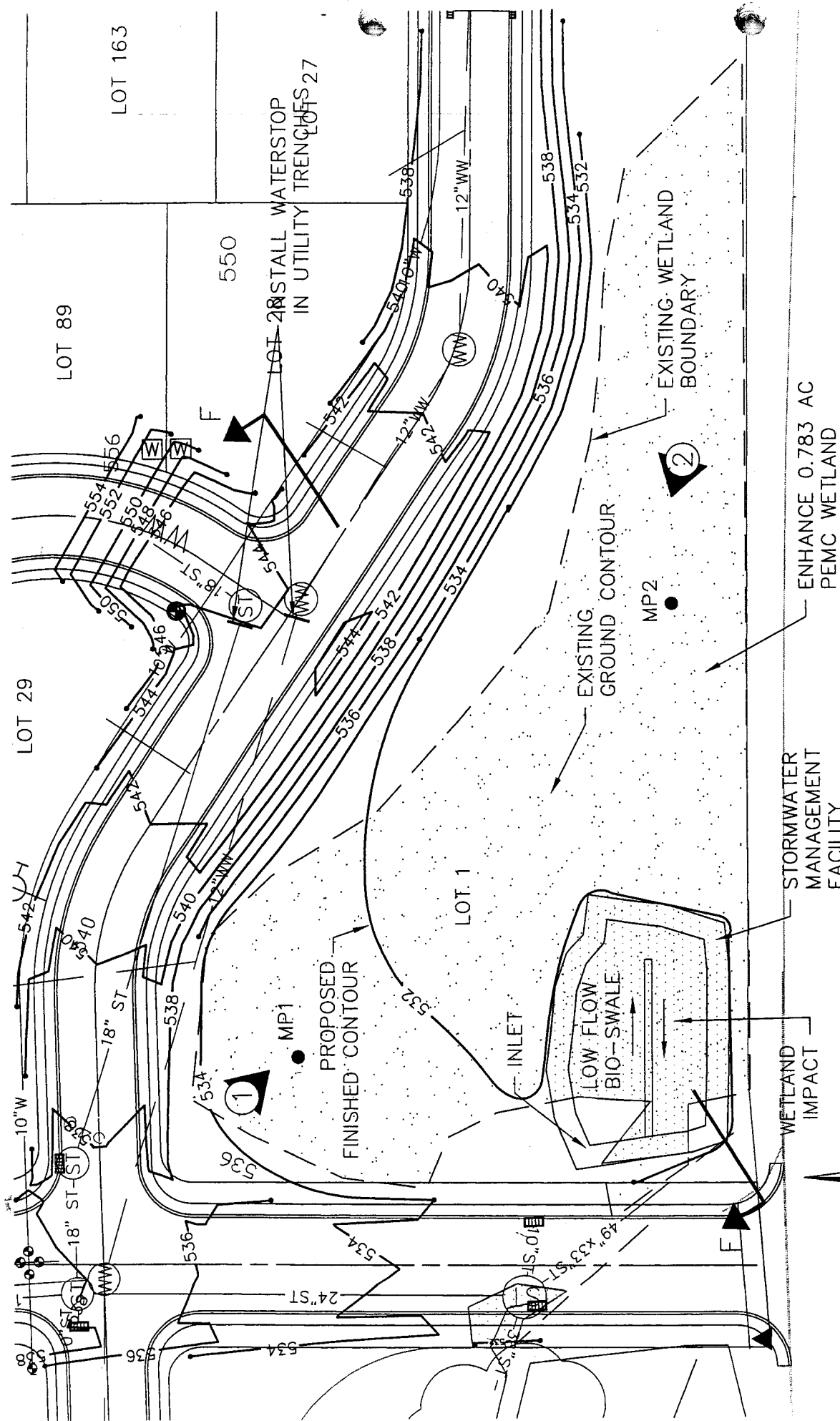
## FIGURE 6

DATE: 01-21-00

**EGR & Associates, Inc.**  
Engineers and Geologists



23250 Pacific Road  
Eugene, Oregon 97403  
(541) 686-8332  
Fax (541) 686-8003



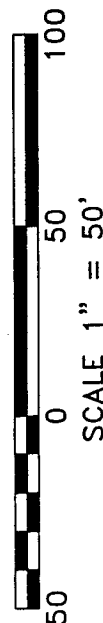
# **FIGURE 7** **WETLAND G MITIGATION**

## **LEGEND**

- WETLAND ENHANCEMENT
- WETLAND IMPACT AREA

PHOTOGRAPHIC LOCATION  
MONITORING POINT

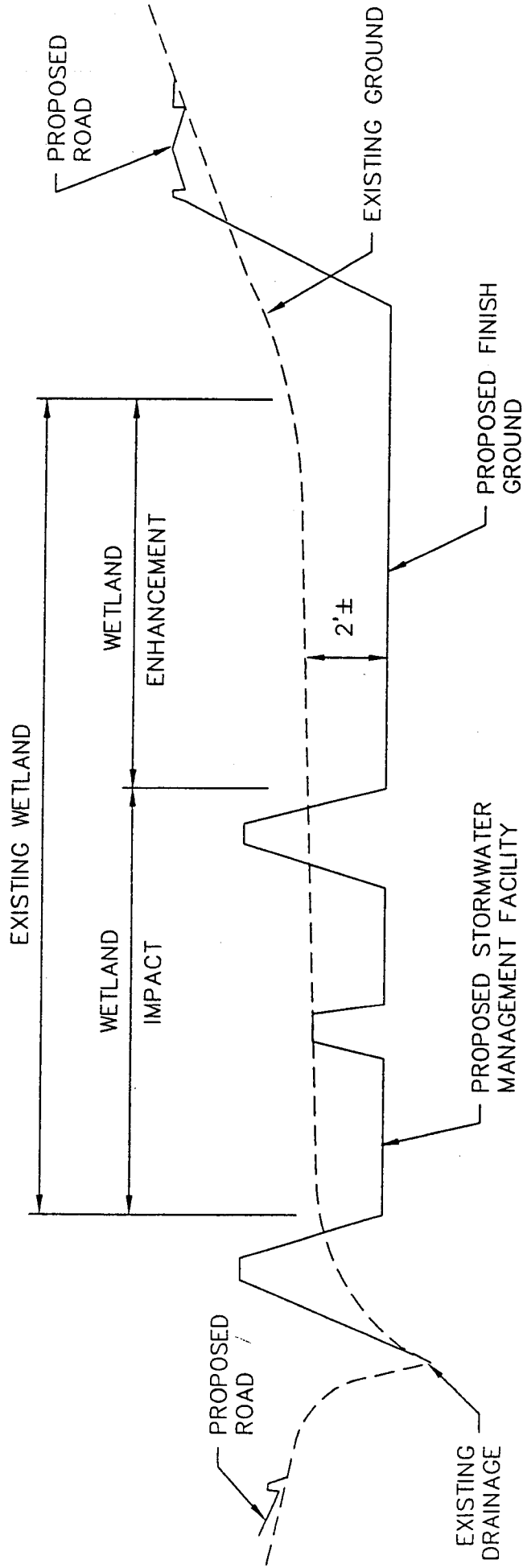
MP1



DATE: 11-11-98

**EGR & Associates, Inc.**  
Engineers and Geologists

25308 Pacific Road  
Portland, Oregon 97202



TYPICAL SECTION F-F  
N.T.S.

**FIGURE 8**

DATE: 12-12-99

**EGR & Associates, Inc.**  
Engineers and Geologists

2130 Pacific Road  
Eugene, Oregon 97401

(541) 684-4321  
Fax (541) 684-4007



**Table 2. Summary of Wetland Impact Areas**

Impact Type	Wetland Areas								Totals
	A	B	C	D	E	F	G	H	
Road Crossing	.060		0.230	0.060			0.010		0.360
Utility Crossing	0.009								0.009
Fill/Development			0.550	1.403					1.953
Stormwater	0.006	0.190	0.020	0.002			0.110		0.328
Total Impact Area	0.075	0.190	0.800	1.465	0	0	0.120	0	2.650
Total Wetland Area	1.310	1.560	0.800	4.220	4.230	1.230	0.940	0.030	14.320

Safari Estates  
Winston, Oregon

Page 3 of 17

Compensatory Mitigation Plan  
June 13, 2001